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**TITLE 326 AIR POLLUTION CONTROL BOARD**

**Final Rule**

LSA Document #07-202(F)

**DIGEST**

Amends [326 IAC 2-6.1-7](#) concerning minor source operating permit renewals. Effective 30 days after filing with the Publisher.

**HISTORY**

First Notice: April 18, 2007, Indiana Register (DIN: [20070418-IR-326070202FNA](#)).

Second Notice: September 26, 2007, Indiana Register (DIN: [20070926-IR-326070202SNA](#)).

Notice of First Hearing: September 26, 2007, Indiana Register (DIN: [20070926-IR-326070202PHA](#)).

Change in Notice of Public Hearing: October 17, 2007, Indiana Register (DIN: [20071017-IR-326070202CHA](#)).

Date of First Hearing: December 5, 2007.

Proposed Rule: December 19, 2007, Indiana Register (DIN: [20071219-IR-326070202PRA](#)).

Notice of Second Hearing: December 19, 2007, Indiana Register (DIN: [20071219-IR-326070202PHA](#)).

Change in Notice of Public Hearing: January 16, 2008, Indiana Register (DIN: [20080116-IR-326070202CHA](#)).

Date of Second Hearing: March 5, 2008.

**[326 IAC 2-6.1-7](#)**

SECTION 1. [326 IAC 2-6.1-7](#) IS AMENDED TO READ AS FOLLOWS:

**[326 IAC 2-6.1-7](#) Operating permit renewal**

**Authority:** [IC 13-14-8](#); [IC 13-15-3-2](#); [IC 13-17-3-4](#); [IC 13-17-3-11](#)

**Affected:** [IC 13-15](#); [IC 13-17](#)

Sec. 7. (a) **A Operating permit terms are as follows:**

**(1) A** new operating permit shall be valid for a period of time not to exceed five (5) years. ~~and~~

**(2) An operating** permit renewal shall be valid for a period of time not to exceed ten (10) years.

~~However,~~ **(3) New operating permits and operating permit renewals** may be valid for ~~any lesser~~ a period of **time less than stated in subdivision (1) or (2)** if determined necessary for administrative reasons by the commissioner.

(b) At least ~~ninety (90)~~ **one hundred twenty (120)** calendar days before the expiration date of an operating permit, the applicant shall apply for a new operating permit from the commissioner if the applicant wishes to continue operation of the source. If a timely and sufficient application for renewal has been made, the existing permit does not expire until a final decision on the application for renewal has been made by the department.

(c) The application for the operating permit renewal shall include the following information:

(1) Certification that the source has not changed from the initial permit issuance or that all modifications to the source have been reviewed and approved in accordance with this rule.

(2) Identification of any changes to the source that are subject to this article that have not received approval before construction or operation.

(Air Pollution Control Board; [326 IAC 2-6.1-7](#); filed Nov 25, 1998, 12:13 p.m.: 22 IR 1020; readopted filed Oct 22, 2004, 10:35 a.m.: 28 IR 801; filed Nov 16, 2007, 1:42 p.m.: [20071212-IR-326060487FRA](#); filed May 7, 2008, 12:46 p.m.: [20080604-IR-326070202FRA](#))

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Proposed Rule: [20071219-IR-326070202PRA](#)

Hearing Held: March 5, 2008

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*Small Business Regulatory Coordinator: Sandra El-Yusuf, IDEM Compliance and Technical Assistance Program, OPPTA - MC60-04, 100 N. Senate Avenue, W-041, Indianapolis, IN 46204-2251, (317) 232-8578, selyusuf@idem.in.gov*

*Small Business Assistance Program Ombudsman: Megan Tretter, IDEM Small Business Assistance Program Ombudsman, MC50-01-IGCN 1307, 100 N. Senate Avenue, Indianapolis, IN 46204-2251, (317) 234-3386, mtretter@idem.in.gov*

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